

Notice of Allowability

Application No.

09/976,362

Examiner

Sy D. Luu

Applicant(s)

SCHNEIDERMAN, B.A.

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Interview held on 10/6/05 and the communications filed 9/26/05.
2. ☒ The allowed claim(s) is/are 2,5-9,11,14-18,20,23-27,36-39 and 43-46.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date ____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

SY D. LUU
PRIMARY PATENT EXAMINER

Examiner's Amendment and Reasons for Allowance

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a personal interview with Mr. Jeffrey Auerbach on October 6, 2005.

3. The application is further amended as follows:

Claim 43. [Currently Amended] A computer software-mediated method for annotating a user-selected target image aspect contained within an electronic image that comprises a plurality of inherently unrelated image aspects, in which the placement of all desired image annotations is not determined solely by the scale of the image, and the X, Y coordinates of the image's center, wherein said inherently unrelated image aspects include a target image aspect and a non-target image aspect ~~including a target image aspect and a non-target image aspect~~, said method comprising:

- (A) displaying said electronic image using a computer-generated display interface;
- (B) accessing and querying a searchable electronic list of annotation terms for a desired annotation term, and permitting a user to add or edit said desired annotation term to said database list;

- (C) associating said desired accessed or added or edited annotation term of said electronic list with said selected target image aspect of said electronic image, wherein said associating comprises positioning said desired annotation term at a user-selected location within the displayed electronic image to identify said selected target image aspect and distinguish it from a non-target image aspect contained within said electronic image, wherein said positioning is accomplished by selecting, dragging and dropping said desired annotation term to said user-selected location;
- (D) storing said accessed or added or edited annotation term and said electronic image containing said target image aspect in a searchable electronic database of annotation terms and electronic images; and
- (E) permitting a subsequent user to display an electronic image (D) containing said selected target image aspect upon the querying of said electronic database (D) for said associated annotation term, wherein said displayed electronic image (D) optionally displays said annotation term positioned to identify the associated target image aspect and distinguish it from non-target image aspects contained within said displayed electronic image (D), and permitting said subsequent user to add, or edit, and store a desired annotation term to said database list, and to associate said new desired annotation term with an image aspect of said displayed electronic image.

Claim 44. [Currently Amended] A computer software-mediated method for retrieving and displaying an electronic image containing a target image aspect, wherein: said electronic image comprises a plurality of inherently unrelated image aspects, in which

the placement of all desired image annotations is not determined solely by the scale of the image, and the X, Y coordinates of the image's center, wherein said inherently unrelated image aspects include a target image aspect and a non-target image aspect, including a target image aspect and a non-target image aspect and is stored in a database of electronic images and annotation terms,

said target image aspect is associated with an annotation term of said database, said associated annotation terms being displayable positioned at a location within the displayed electronic image that identifies said selected target image aspect and distinguishes it from non-target image aspects contained within said electronic image, said method comprising:

- (A) accessing and querying said database of electronic images and annotation terms for electronic images containing a target image aspect associated with a queried annotation term;
- (B) retrieving from said database an electronic image identified through such querying that contains said target image aspect;
- (C) displaying said retrieved electronic image, wherein said retrieved image displays said queried annotation term positioned to identify the associated target image aspect and distinguish it from non-target image aspects contained within the displayed electronic image;
- (D) permitting a user to add or edit said desired annotation term to said database list;
- (E) storing said accessed or added or edited annotation term and said

electronic image containing said target image aspect in a searchable electronic database of annotation terms and electronic images; and

- (F) permitting a subsequent user to display said electronic image (E) containing said selected target image aspect upon the querying of said electronic database (E) for said associated annotation term, wherein said displayed electronic image (E) optionally displays said annotation term positioned to identify the associated target image aspect and distinguish it from non-target image aspects contained within said displayed electronic image (E), and permitting said subsequent user to add, or edit, and store a new desired annotation term to said database list, and to associate said new desired annotation term with an image aspect of said displayed electronic image by selecting, dragging and dropping said new desired annotation term to a user-selected location.

Claim 45. [Currently Amended] A computer software-mediated method for retrieving and displaying electronic images containing related target image aspects, wherein:

said electronic images each comprise a plurality of inherently unrelated image aspects, in which the placement of all desired image annotations is not determined solely by the scale of the image, and the X, Y coordinates of the image's center, wherein said inherently unrelated image aspects include a target image aspect and a non-target image aspect, including a target image aspect and a non-target image aspect and are stored in a database of electronic images and annotation terms, said related target image aspects are each associated with at least one

member of a family of related annotation terms of said database, each of said associated annotation terms being displayable positioned at a location within the displayed electronic image that identifies said selected target image aspect and distinguishes it from non-target image aspects contained within said electronic image,

said method comprising:

- (A) accessing and querying said database of electronic images and annotation terms for electronic images containing a target image aspect associated with any of said family of related annotation terms;
- (B) retrieving from said database electronic images identified through such querying that contain a target image aspect;
- (C) displaying a retrieved electronic image, wherein said retrieved image displays a queried annotation term positioned to identify the associated target image aspect and distinguish it from non-target image aspects contained within the displayed electronic image;
- (D) permitting a user to add or edit said desired annotation term to said database list by selecting, dragging and dropping said desired annotation term to a user-selected location;
- (E) storing said accessed or added or edited annotation terms and said electronic images containing said target image aspects in a searchable electronic database of annotation terms and electronic images; and

- (F) permitting a subsequent user to display said electronic images (D) containing said selected target image aspects upon the querying of said electronic database (D) for electronic images containing a target image aspect associated with any of said family of related annotation terms, wherein a displayed electronic image (D) optionally displays said annotation term positioned to identify the associated target image aspect and distinguish it from non-target image aspects contained within said displayed electronic image (D), and permitting said subsequent user to add, or edit, and store a new desired annotation term to said database list, and to associate said new desired annotation term with an image aspect of said displayed electronic image.

Claim 46. **[Currently Amended]** A computer system specially adapted by software to store, retrieve and display an electronic image containing a target image aspect, wherein: said electronic image comprises a plurality of inherently unrelated image aspects, in which the placement of all desired image annotations is not determined solely by the scale of the image, and the X, Y coordinates of the image's center, wherein said inherently unrelated image aspects include a target image aspect and a non-target image aspect, including a target image aspect and a non-target image aspect and is stored in a database of electronic images and annotation terms, said target image aspect is associated with an annotation term of said database, said associated annotation terms being displayable positioned at a location within the displayed electronic image that identifies said selected target image aspect and

distinguishes it from non-target image aspects contained within said electronic image, said computer system accomplishing the:

- (A) accession and querying of said database of electronic images and annotation terms for electronic images containing a target image aspect associated with a queried annotation term upon the request of
- (B) retrieval from said database of an electronic image identified through such querying that contains said target image aspect;
- (C) display of said retrieved electronic image, wherein said retrieved image displays said queried annotation term positioned to identify the associated target image aspect and distinguish it from non-target image aspects contained within the displayed electronic image;
- (D) addition or editing of a desired annotation term to said database list by a user, and associating of a desired annotation term with an image aspect by selecting, dragging and dropping said desired annotation term to a user-selected location in said electronic image;
- (E) storage of said accessed or added or edited annotation term and said electronic image containing said target image aspect in a searchable electronic database of annotation terms and electronic images;
- (F) display of said electronic image (E) containing said selected target image aspect to a subsequent user upon the querying of said electronic database (E) for said associated annotation term either alone or in combination with a different annotation term,

wherein said displayed electronic image (E) optionally displays said annotation term positioned to identify the associated target image aspect and distinguish it from non-target image aspects contained within said displayed electronic image (E); and

- (G) addition or editing and storage of a new desired annotation term to said database list by a subsequent user, and the association of said new desired annotation term with an image aspect of said displayed electronic image.

4. The following is an examiner's statement of reasons for allowance:
5. Claims 2, 5-9, 11, 14-18, 20, 23-27, 36-39, and 43-46 are allowed.
6. The prior art made of record fails to anticipate or make obvious the claimed invention. Specifically, the prior art fails to teach, in combination with the remaining elements:

a method for annotating a user-selected target image aspect contained within an electronic image that comprises a plurality of inherently unrelated image aspects, in which the placement of all desired image annotations is not determined solely by the scale of the image, and the X, Y coordinates of the image's center, wherein said inherently unrelated image aspects include a target image aspect and a non-target image aspect as recited in claims 43-46.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2174

Inquires

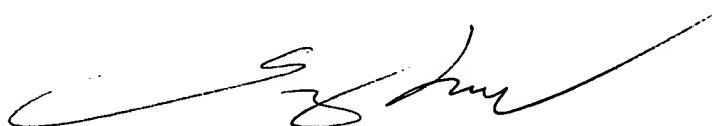
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is **(571) 272-4064**. The examiner can normally be reached on Monday - Friday from 7:300 am to 4:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**SY D. LUU
PRIMARY EXAMINER
ART UNIT 2174**